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FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

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T. WONG
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of)	CIVIL NO. 04-1-2280-12 BIA
Consumer Protection,	)	(Other Civil Action)
)	
Plaintiff,	)	PERMANENT INJUNCTION AND
	)	DEFAULT JUDGMENT AGAINST
	)	DEFENDANT YOSHIO TAKAHASHI
vs.)	
)	
	)	HEARING
WASHINGTON AMERICAN OPEN	)	Date: April 27, 2005
UNIVERSITY, INC., a Hawaii	)	Time: 10:30 a.m.
corporation dba Ottawa Global	)	Judge: Bert I. Ayabe
University and Ottawa and TAMS)	
Global College and YOSHIO)	
TAKAHASHI aka Alexander Takahashi)	
aka Rao V. Yellapragada,)	
	)	Trial Date: None
Defendants.	)	SCF Date: None
)	

PERMANENT INJUNCTION AND DEFAULT
JUDGMENT AGAINST DEFENDANT YOSHIO TAKAHASHI

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This court has jurisdiction over this matter and the parties hereto pursuant to Hawaii Rev. Stat. Chapters 446E, 480, 487 and 603 and venue is proper herein.

2. Plaintiff's Complaint states claims against Defendant Takahashi upon which relief may be granted under Hawaii Rev. Stat. Chapter 446E and Hawaii Rev. Stat. § 480-2(a).

3. Defendant Takahashi, his officers, agents, servants, employees and those persons in active concert or participation with him who receive actual notice of this order by personal service or otherwise, be and are hereby restrained and enjoined from failing to comply with the requirements set forth herein.

4. Defendant Takahashi shall be responsible for making the substantive terms and conditions of this judgment known to his officers, directors, successors, managers, employees and those persons associated with Defendant Takahashi who are responsible for implementing the obligations set forth in this judgment.

5. Defendant Takahashi shall not effect any change in his form of doing business or organizational identity for the purpose of avoiding the terms and conditions contained in this judgment.

6. Defendant Takahashi be and is hereby ordered to immediately cease conducting any and all business activities in the state of Hawaii, including the operation of any unaccredited degree granting institution. Defendant Takahashi be and is hereby further enjoined from claiming to operate any unaccredited degree granting institution under the color or authority of the laws of the State of Hawaii. Upon entry of this judgment, Defendant Takahashi is hereby ordered to take

whatever steps are necessary to dissolve Washington American Open University, Inc. as provided for in Hawaii Rev. Stat. Chapter 415.

7. Defendant Takahashi be and is hereby ordered to provide a full refund to consumers as set forth herein. Upon entry of this judgment, Defendant Takahashi shall notify all Washington American Open University degree holders and degree applicants who enrolled subsequent to July 1, 1999 in writing that they are entitled to full restitution (conditioned on the return of any diploma awarded). Said notice shall be in a form agreeable by Plaintiff and shall also notify the recipients of their rights under Hawaii Rev. Stat. §480-13. Defendant Takahashi shall provide a full refund to any recipient requesting such by certified check within fourteen days of receipt of the request for such and the return of the diploma, if applicable. In the event Defendant Takahashi fails to make restitution as required herein, Defendant Takahashi be and is hereby liable, in addition to all other payments required herein, to Plaintiff for civil penalties in the amount of One Thousand Dollars (\$1,000.00) for each consumer who does not receive full restitution as required and set forth herein.

8. Defendant Takahashi be and is hereby liable to Plaintiff for civil penalties pursuant to Hawaii Rev. Stat. § 480-3.1 in the amount of One Hundred Thousand Dollars (\$100,000.00).

9. Defendant Takahashi shall promptly provide to the Office of Consumer Protection upon request proof of any action(s) required to be taken by Defendant Takahashi pursuant to the terms of this default judgment.

10. This default judgment shall apply to Defendant Takahashi, his agents, employees, successors and assigns.

11. This court shall retain jurisdiction of this case for the purpose of enabling any of the parties to this judgment to apply to this court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this judgment, to modify or terminate any of their provisions, to enforce compliance, and to punish violations of its provisions. If it shall be made to appear to the court that there has been a violation of any of the terms of this judgment, upon motion, this court may enter an order to show cause why Defendant Takahashi should not be found in contempt. Nothing in this document shall bar Plaintiff from seeking, or the court from imposing, against Defendant Takahashi or any other person any other relief available under any other applicable provision of law for violation of this document, in addition to or in lieu of the civil penalties provided for above.

12. The facts as alleged in the Complaint shall be taken as true in the event of subsequent litigation to collect amounts due pursuant to this judgment, including but not limited to a nondischargeability complaint in any bankruptcy proceeding.

13. There are no claims remaining against any party.

DATED: Honolulu, Hawaii, MAY 0 2 2005

BERT I. AYABE



Judge of the above ~~entitled~~ Court

Civil No. 04-1-2280-12 BIA; State of Hawaii vs. Washington American Open University, Inc., et al.; PERMANENT INJUNCTION AND DEFAULT JUDGMENT AGAINST DEFENDANT YOSHIO TAKAHASHI